FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 642 OF 2003
IN
SECOND APPEAL STAMP NO. 8290 OF 2003

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. K.B. Sonwalkar for applicant.
Mr.Umesh Mankapure for respondent nos.1A-1 and 1A-2.

CORAM: B.H. MARLAPALLE,J.

21/04/2007.

P.C.:

. Heard Mr. Sonwalkar the learned counsel for the application- original plaintiff. The applicant has filed Second Appeal under Stamp No. 8290 of 2003, but belatedly and hence this application for condonation of delay. As per the office note the appeal is beyond time by 4 years and 296 days. Rule was granted on 1/9/2003.

. It is submitted by Mr.Sonwalkar that the applicant is already of the

age of 81 years, whereas his wife is about 78 years of age and both of them were not in a condition to approach an Advocate and take appropriate steps for filing this appeal within time. It was also submitted that the certificate issued under Section 32-M of the Bombay Tenancy and Agricultural Lands Act, 1948 was in the joint names and he was in possession of 4/5th share of the suit land admeasuring 2 H. 38 R. in Survey No. 178/1 and 1 H. 22 R. in Survey No.179/3. He, therefore, prays for condonation of delay unconditionally.

. Delay condoned and rules is made absolute accordingly.

. List the appeal for admission on 11/6/2007.

(B.H. Marlapalle,J.)